

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LAWRENCE HOWARD KAHLE,

Defendant.

CR 21-19-BLG-DLC-02

ORDER

United States Magistrate Judge Timothy J. Cavan entered Findings and Recommendations in this matter on June 11, 2021. (Doc. 52.) Neither party objects and so the Court will review for clear error. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000) (citations omitted).

Judge Cavan recommended this Court accept Defendant Lawrence Howard Kahle’s guilty plea after Kahle appeared before him pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to Counts VI and XII of the Indictment, which charges the crimes of wire fraud in violation of 18 U.S.C. § 1343, and aggravated identity theft in violation of 18 U.S.C. § 1028A(a)(1).

The Court finds no clear error in Judge Cavan’s Findings and

Recommendation and adopts them in full. The Court will defer acceptance of the Plea Agreement until sentencing when the Court will have reviewed the Plea Agreement and Presentence Investigation Report. Accordingly,

IT IS ORDERED that the Findings and Recommendations (Doc. 52) is ADOPTED in full. Kahle's motion to change plea (Doc. 39) is GRANTED and he is adjudged guilty as charged in Counts VI and XII of the Indictment.

DATED this 28th day of June, 2021.



Dana L. Christensen, District Judge
United States District Court